

### REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and following remarks is respectfully requested.

Claims 1-5 and 7-11 are pending in this application. By this amendment, the specification is amended. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, the title was objected to; Claims 1-2 and 4-11 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,949,377 to Matsumoto and further in view of U.S. Publication 2002/0171587 to Fu; and Claim 3 was rejected under 35 U.S.C. § 103(a) as unpatentable over Matsumoto in view of Fu and further in view of U.S. Patent No. 5,281,765 to Lura.

With respect to the rejection of the claims under 35 U.S.C. § 103(a), the applied art does not teach or suggest a notch antenna including a perpendicular portion rising substantially perpendicularly to the circuit substrate, and a parallel portion substantially parallel to the circuit substrate, the parallel portion formed so as to extend from the leading end of the perpendicular portion in a direction substantially orthogonal to the notch direction of said notch portion and to cross said notch portion, as claimed in Claim 1 and similarly claimed in Claim 10.

Instead, Matsumoto discloses, as best shown in Figure 44, a whip antenna 80 formed as the first antenna and a notch antenna 90 formed as the second antenna. The notch antenna 90 includes an opening 92 at a width h opposed to the whip antenna 80. The opening 92 is positioned offset from a metallic member such as a shield metallic box 93 for containing an inner circuit substrate. The Office Action acknowledges that Matsumoto fails to disclose the above discussed features of Claims 1 and 10. However, the Office Action asserts that Fu makes up for this deficiency. Applicant respectfully disagrees.

Specifically, Fu discusses a wireless communication device having two inverted-F antennas mounted on the printed circuit board 41. As shown in Fig. 2, the first plane 21 is parallel to the third plane 23; the second plane 22 is parallel to the fourth plane 24; the first plane 21 is vertical to the second plane 22; and the third plane 23 is vertical to the fourth plane 24. There is a gap 26 and a pillar 25 at relative positions. The feature of the present invention is on the pillar 25 design, which is on the margin so that the profits on manufacture may be issued.

Accordingly, the applied art does not teach or suggest a parallel portion extending from the leading end of the perpendicular portion in a direction substantially orthogonal to the notch direction of said notch portion and to cross said notch portion.

There is no teaching or suggestion for combining the antenna system of Matsumoto with the structure of Fu. Again, the independent claims recite a parallel portion orthogonal to the notch direction of said notch portion and which crosses the notch portion. Moreover, even if one were motivated to utilize the antenna of Matsumoto with the antenna of Fu, it is respectfully submitted that the references fail to disclose or suggest how such a combination should be arranged. For example, Claims 1 and 10 recite a parallel portion extending from the leading end of the perpendicular portion in a direction substantially orthogonal to the notch direction of said notch portion and to cross said notch portion. If a device with such an orientation were added to Matsumoto, it would either extend beyond the edge of the housing 15 or alternatively would have to extend into the shield metallic box 93 containing an inner circuit substrate. Accordingly, there is no suggestion that a combination of the applied art would result in the structure of the claimed invention.

It is respectfully submitted that there is no basis in the teachings of the applied art to support their applied combination. Certainly, the outstanding Office Action fails to cite to any specific teachings within the references to support the applied combination.

Accordingly, it is respectfully submitted that the combination of the applied art is the result of hindsight reconstruction in view of the teachings of the present specification, and is improper.

The claimed features discussed above provide at least the advantages of having a radio device with which it is possible to achieve a reduction in size and enhancement of antenna efficiency and gain. The applied art does not disclose the features of the claimed invention discussed above and therefore, cannot provide at least the advantages discussed above. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) is respectfully requested.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 03/06)

Kevin M. McKinley  
Registration No. 43,794